



NO. 2000-2113

PABLO AGUILERA, TOMAS TORRES
PEDRO PAZ BAEZA; ROBERT BAEZA
and MANUEL MACIAS,

VS.

GAF CORPORATION, et. al.

§ IN THE COUNTY COURT
§
§
§
§
§ AT LAW NO. THREE
§
§
§ EL PASO COUNTY, TEXAS

**PHELPS DODGE REFINING CORPORATION'S RESPONSES
TO PLAINTIFF ROBERT BAEZA'S FIRST SET OF
INTERROGATORIES, REQUESTS FOR ADMISSION
AND REQUEST FOR PRODUCTION**

TO: Plaintiff by and through their attorney of record, Stephanie Finch, Baron & Budd, 3102 Oak Lawn Avenue, Suite 1100, Dallas, Texas 75219-4281.

NOW COMES PHELPS DODGE REFINING CORPORATION, Defendant herein, and makes and files this its Response to Plaintiff ROBERT BAEZA's Interrogatories, Request for Admission and Request for Production propounded to Defendants.

Respectfully submitted,

**SCOTT, HULSE, MARSHALL, FEUILLE,
FINGER & THURMOND, P.C.**

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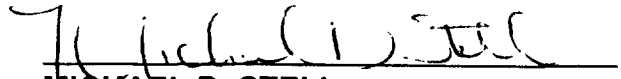
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CERTIFICATE OF SERVICE

I certify that notice of this document has been given by facsimile transmission to all known counsel of record on November 29, 2000.


MICHAEL D. STELL

A. OBJECTIONS TO DISCOVERY

1. Defendant objects to Plaintiffs' Interrogatories, Requests for Production, and Requests for Admission in its entirety because it was served in a direct contravention of standing order number 1 for asbestos litigation in the district courts and county Courts at Law of El Paso County, Texas. Standing order number 1 prohibits such discovery requests from being served and responses being required without leave of court after hearing. See II, paragraph 14 of standing order number 1.
2. Defendant objects to the whole of Plaintiffs' discovery requests as so overly broad and unduly burdensome that Plaintiffs' discovery constitutes harassment. This suit involves persons employed by a finite number of employers at a finite number of locations during specific years. Plaintiffs' claim is that the injured parties were exposed to asbestos containing products on Defendant's premises during the course and scope of their employment with known employers. Plaintiffs should be seeking production of records and information relevant to issues raised by those particular fact situations. Plaintiffs' attempts to expand discovery to include information regarding irrelevant time periods and irrelevant materials produced at irrelevant locations by irrelevant persons or entities constitutes an impermissible abuse of the discovery rules and general misuse of the laws of the State of Texas.

B. OBJECTIONS TO PLAINTIFFS' DEFINITIONS

1. Defendant objects to Plaintiffs' definitions of the terms "Defendant", "you", and "yours", and "your company". To the extent the terms are intended to include predecessors, divisions, subsidiaries, forms of subsidiaries, forms of subsidiaries of predecessors, and/or affiliates, as well as present and former officers, directors, agents, employees and other persons acting or purporting to act on behalf of the corporate Defendant, any interrogatory or requests for production utilizing these terms is so overly broad and over burdensome as to make any requests utilizing the term virtually impossible to answer. Further, to the extent the definition is intended to include any merged, consolidated, or acquired predecessors, divisions, subsidiaries, forms of subsidiaries, forms of subsidiaries of predecessors, and/or affiliates, any interrogatory or requests for production utilizing any of these terms is necessarily overly broad, unduly burdensome, and calls for material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to Plaintiffs' apparent attempt to place upon Defendant the burden to seek information from former officers, directors, agents and employees over whom Defendant no longer has dominion or control. Any interrogatory or requests utilizing any of these terms is a "fishing expedition" in violation of Texas law as concerns discovery.
2. Defendant objects to Plaintiffs' definition of the terms "document", "documents", "written materials", or "printed materials" as the definition of those terms renders any requests utilizing any of these terms overly broad, unduly burdensome, harassing, and reduces any such discovery requests to a "fishing expedition" in discovery. Defendant further objects to the definition of these terms as calling for the production of material or information which is not relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to the definition of these terms to the extent it purports to include an obligation to locate and produce information or documentation which is no longer in the

possession or control of this Defendant or from entities who are not parties to this cause of action.

3. Defendant objects to Plaintiff's definition of the words "meeting" or "meetings" as any interrogatory or request for production utilizing those terms is overly broad, and over burdensome in that it purports to require documentation or information concerning any casual or coincidental meeting.
4. Defendant objects to Plaintiff's definition of the terms "describe" or "description" as it is vague, ambiguous and requires Defendant to speculate on what identification rises to the level of sufficient particularity so as to enable one to "fully comprehend" or understand the place, thing or occurrence described.
5. Defendant objects to Plaintiff's definition of the term "medical advisory capacity" in that the definition renders any interrogatory or request for production utilizing the term overly broad, over burdensome, harassing and calling for information or material which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence.
6. Defendant objects to Plaintiff's definition of the terms "medical department" and "safety department" in that the definition renders any interrogatory or request for production utilizing the term overly broad, over burdensome, harassing and calling for information or material which is neither relevant or reasonably calculated to lead to the discovery of admissible evidence.
7. Defendant objects to Plaintiff's definition of the terms "potential health hazards" or "health hazards" in that any interrogatory or request for production utilizing these terms is vague and ambiguous in that issues exists and minds differ with respect to impairments or disabilities and their associations with exposures to asbestos dust and fibers, if any.
8. Defendant objects to Plaintiffs' definition of the term "years at issue" as the definition assumes that Plaintiffs worked on the premises of Defendant for the entire period reflected in the definition, which is denied. Any interrogatory, request for admission or production utilizing this term is necessarily overly broad, over burdensome and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.
9. Defendant objects to the term "years at issue" in that Plaintiff provides no definition of which years are actually at issue in this litigation. Plaintiff filed a work history sheet which generally alleges that Baeza worked for three contractors, Cooper & Cooper, Inc., Natkin Company and CF Opel, Inc. which did work for Phelps Dodge *and other* work sites during selected years (1966, 1967, 1968, 1969, 1970, 1971, 1972, 1978, 1980, and 1981). One cannot tell, however, whether Baeza worked at Phelps Dodge during any particular year in that range.

INTERROGATORY NO. 1:

For each person who has supplied any information used in answering these interrogatories, state the name, address, job title, length of time employed by Defendant, and a year by year list of all other positions, titles or jobs held when working for Defendant.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

REQUEST FOR ADMISSION NO. 1:

Admit that Defendant ordered, purchased or otherwise acquired asbestos containing products, asbestos containing friction products, and/or machinery requiring the use of asbestos or asbestos containing products.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as vague, ambiguous, harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it is overly broad, unduly burdensome and irrelevant in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

REQUEST FOR PRODUCTION NO. 1:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, unduly burdensome, irrelevant, harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant". Defendant further objects to this request as it fails to seek any specific document or category of document and

therefore constitutes a non-specific "fishing expedition". Defendant further objects to this request as it purports to place the burden on Defendant to prove a negative, which is impossible.

REQUEST FOR ADMISSION NO. 2:

Admit that asbestos containing products, asbestos containing friction products, and/or machinery requiring the use of asbestos or asbestos containing products were utilized on Defendant's Premises during the years at issue.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as vague, ambiguous, harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it is overly broad, unduly burdensome and irrelevant in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked.

INTERROGATORY NO. 2:

If you admit the foregoing request, please list all asbestos containing products used at Defendant's Premises and for each product state the following:

1. What these products were used for
2. From whom these products were purchased
3. Where these products were installed
4. Specific persons or contractors who install these products
5. The first year each product was no longer purchased and installed on Defendant's Premises

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and unduly burdensome and it calls for material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the

burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects to this request as it is further overly broad in that it is not limited in scope to the time periods during which Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked.

REQUEST FOR PRODUCTION NO. 2:

Produce all ordering and sales documents pertaining to the purchase or acquisition of such asbestos containing products for use at Defendant's Premises, including but not limited to invoices, price quotations, purchase orders, requisitions, bills of lading, and other purchasing and/or shipping documents of the similar nature.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and unduly burdensome and it calls for material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects to this request as it is further overly broad in that it is not limited in scope to the time periods during which Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 3

Admit that during the time Plaintiff was working on Defendant's Premises, it was foreseeable that asbestos containing products on Defendant's Premises would or could be removed, stripped, replaced or repaired at some time after installation.

RESPONSE: Defendant objects to this Request For Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any area within Defendant's premises where Plaintiff allegedly worked and the request thereby additionally calls for information which is neither relevant nor reasonably calculated to lead to the discovery of

admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

INTERROGATORY NO. 3:

Please state whether any asbestos containing products in place or in use at Defendant's Premises have been abated at any time.

- a. If so, list each person or company that performed such abatement services (including address and telephone number)
- b. State the dates and locations of each abatement procedure
- c. State which asbestos containing products were abated.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as vague, ambiguous, harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it is overly broad, unduly burdensome and irrelevant in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. Further, Defendant objects to this request as the term "in use" is vague, ambiguous and subject to the multiple interpretations in the context of this suit.

REQUEST FOR PRODUCTION NO. 3:

Produce all documents that in any way pertain to abatement of asbestos containing materials on Defendant's Premises, including but not limited to a removal plan or organized written criteria or schedule for the removal of asbestos at Defendant's Premises, and in operation and maintenance plan.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is vague, ambiguous, overly

broad, unduly burdensome, and it calls for information which is not relevant nor reasonably calculated to lead to the discovery of admissible evidence. re Plaintiffs allegedly worked.

REQUEST FOR ADMISSION NO. 4:

Admit that Plaintiff worked on premises owned by Defendant or by a predecessor-in-interest of Defendant.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

REQUEST FOR PRODUCTION NO. 4:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, unduly burdensome, irrelevant, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as fails to seek and specific document or category of documents and thus constitutes a non-specific "fishing expedition". Defendant further objects to this request as it purports to place the burden on Defendant to prove a negative, which is impossible.

REQUEST FOR PRODUCTION NO. 5:

If you admit the foregoing request, in whole or in part, produce all documents supporting your admission that Plaintiff was on Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

REQUEST FOR PRODUCTION NO. 6:

Produce all records identifying contractors and/or employees of contractors who were on your premises during the years at issue, including but not limited to sign-in-logs, gate

records, visitor's logs, identification badge logs and procedures, and other documents of a similar nature.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, unduly burdensome and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it is not limited in scope to any particular alleged employer of Plaintiff, nor to any area where Plaintiff is alleged to have worked on Defendant's premises.

REQUEST FOR PRODUCTION NO. 7:

Produce all records pertaining to the methods and manner of identification of individuals entering and/or leaving your facilities, during the years at issue, including but not limited to fingerprinting or other methods of identifying contractor employees at your premises, and specifically including any fingerprinting or other records identifying the Plaintiff.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is vague, overly broad, unduly burdensome, and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it is not limited in scope to any particular alleged employer of Plaintiff, nor to any area where Plaintiff is alleged to have worked on Defendant's premises.

INTERROGATORY NO. 4:

Identify the contractors who worked on your premises during the years at issue, and for each, state:

- a. The type of work performed by the contractor

- b. The dates such work was performed
- c. Identify your employee responsible for monitoring, verifying, or instructing concerning these services to be performed by such contractors

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is vague, overly broad, unduly burdensome, and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it is not limited in scope to any particular alleged employer of Plaintiff, nor to any area where Plaintiff is alleged to have worked on Defendant's premises.

REQUEST FOR PRODUCTION NO. 8:

Produce the contract documents pertaining to the contractors who performed services on Defendant's Premises during the years at issue, including but not limited to invitations to bid, requests for proposals, bids, proposals, scope of work, specifications, blueprints, plans, acceptances, contracts, amendments, addenda, change orders, and other contract documents of a similar nature.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as overly broad in that it is not limited in scope to the area(s) within any of Defendant's premises where Plaintiff allegedly was present.

INTERROGATORY NO. 5:

Identify each employee who was responsible for allowing contractor employees access to Defendant's Premises during the years at issue.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further

response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiff's definition of the term "Defendant".

REQUEST FOR ADMISSION NO. 5:

Admit that Plaintiff worked on Defendant's Premises where Defendant used or applied asbestos containing products.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is vague and ambiguous. To the extent the request is intended to encompass all areas of Defendant's premises, including those where Plaintiff did not work, the request is overly broad and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 9:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is vague and ambiguous. To the extent the request is intended to encompass all areas of Defendant's premises, including those where Plaintiff did not work, the request is overly broad and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Additionally, the request fails to seek any specific document or category of documents and seeks to have Defendant prove a negative.

INTERROGATORY NO. 6:

Do you contend that Plaintiff was not exposed to asbestos while working at the Defendant's Premise(s)? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". The interrogatory violates Tex. R. Civ. P. 197.1 by requiring Defendant to "marshal all of its available proof." Further, Defendant objects to this request as the term "working" is vague, ambiguous and subject to the multiple interpretations in the context of this suit.

REQUEST FOR ADMISSION NO. 6:

Admit that Plaintiff, in the course and scope of his work as an employee of an independent contractor, worked around Defendant's employees who were using and/or applying asbestos containing products.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 10:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, unduly burdensome,

irrelevant, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as fails to seek any specific document or category of documents and as such it constitutes a non-specific "fishing expedition". Defendant further objects to this request as it purports to place the burden on Defendant to prove a negative, which is impossible.

REQUEST FOR ADMISSION NO. 7:

Admit that Plaintiff worked on and/or around Defendant's Premises in areas where asbestos containing products were installed, used, prepared for use, replaced or repaired, stored or loaded, unloaded or transported.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as over burdensome, multifarious and harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 8:

Admit that during the time period Plaintiff worked at premises, Defendant was aware that airborne asbestos dust created a potential health hazard to those who breathed such dust.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant" and his failure to specifically identify when he was allegedly at Defendant's premises.

REQUEST FOR PRODUCTION NO. 11:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in

contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, unduly burdensome, irrelevant, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as it purports to place the burden on Defendant to prove a negative, which is impossible.

REQUEST FOR ADMISSION NO. 9:

Admit that Defendant was aware of the presence of and/or use of asbestos containing products on Defendant's Premises during the time period Plaintiff was working on Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises. Defendant objects that Plaintiff has not sufficiently identified the periods of time or locations in question. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 12:

Produce any and all photographs or videographic depictions or films depicting the use by you or your employees of any safety precautions (such as containment areas, warning signs, etc.) taken to protect bystanders from the hazards of airborne asbestos resulting from the use of asbestos containing products by your employees at any locations.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

_____ Defendant objects to this request as overly broad, unduly burdensome and calls for information which is neither relevant nor reasonably calculated to

lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited to time nor scope to the time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked nor to the specific areas on any particular premises where Plaintiff is alleged to have worked. Defendant further objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your," and as such the burden of discovery outweighs its benefits.

INTERROGATORY NO. 7:

Please identify any and all warnings ever given by Defendant, if any, to Plaintiffs regarding the hazards of asbestos and the dangers inherent to the inhalation of asbestos fibers.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request in that it is vague and ambiguous because the quantity of exposures and the nature of the hazard have not been defined. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Finally, the interrogatory by referencing the plural Plaintiffs makes the request unduly vague as Defendant does not know to whom the interrogatory refers to.

REQUEST FOR PRODUCTION NO. 13:

Produce all such warnings.

RESPONSE: Defendant objects to this Request For Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises. Defendant objects the Plaintiff has not sufficiently identified the periods of time or locations in question. Defendant objects that the request is not limited to the premises where Plaintiff allegedly worked nor to the specific areas on any particular premises where Plaintiff is alleged to have worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs'

definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 10:

Admit that Defendant did not distribute any literature or warnings of any kind to its employees during the period of time Plaintiff worked on Defendant's Premises regarding the potential health hazards to those who breathe airborne asbestos dust.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 14:

If you deny the foregoing, produce all such warnings.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to

lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

INTERROGATORY NO. 8:

Describe Defendant's safety policy as it relates to the use of asbestos-containing materials at jobsites where Defendant's employees were performing services. In your answer, please state:

- a. when, if ever, Defendant's employees were first warned about the hazards of asbestos exposure; and
- b. what instructions, if any, were given to Defendant's employees on the identification of materials which might or did contain asbestos.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises. As the request is focused on intrusion or warning given to Defendant's employees, it fails to seek relevant or admissible information. Defendant objects the Plaintiff has not sufficiently identified the periods of time or locations in question. Defendant objects that the request is not limited to the premises where Plaintiff allegedly worked nor to the specific areas on any particular premises where Plaintiff is alleged to have worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 15:

Produce all such safety policies.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises. Defendant objects the Plaintiff has not sufficiently identified the periods of time or locations in question. Defendant objects that the request is not limited to the premises where Plaintiff allegedly worked nor to the specific areas on any particular premises where Plaintiff is alleged to have worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 11:

Admit that Defendant consciously decided not to warn its employees of the dangers of asbestos.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is argumentative as well as overly broad in that it is not limited to any applicable time period or location. In addition, Defendant objects to this request as irrelevant, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 9.

Do you contend that Defendant specifically warned Plaintiff about the hazards of asbestos and asbestos-containing products? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". The interrogatory violates Tex. R. Civ. P. 197.1 by requiring Defendant to "marshal all of its available proof."

INTERROGATORY NO. 10:

Describe all safety precautions taken by you or your employees (such as containment areas, warning signs, ventilation systems, evacuating the premises, etc.) for the protection of bystanders (including but not limited to Plaintiffs) from the hazards resulting from the use of asbestos-containing products by your employees at any locations.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "you", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 11:

Have you ever provided safety equipment to persons working on Defendant's Premises? If so, please list the safety equipment provided and indicate:

- a. when the equipment was first provided
- b. to whom the equipment was provided
- c. under what circumstances the equipment was provided
- d. Further, identify the person with the most knowledge of your "safety equipment" policies.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably

calculated to lead to the discovery of admissible evidence. Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiff's definition of the terms "You" and "Defendant". Further, Defendant objects to this request as the term "working" is vague, ambiguous and subject to the multiple interpretations in the context of this suit.

REQUEST FOR ADMISSION NO. 12:

Admit that Defendant did not continuously provide face masks to contract employees working with or around asbestos from 1945 to the present for the purpose of protecting these employees from inhaling asbestos.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes a duty to provide equipment to employees of independent contractors who were retained to perform various activities as experts in the various fields in which they were retained and as independent contractors, agreed to take all reasonable precautions to protect their own employees. Defendant further objects to this request as overly broad in that it is not limited to the facility on which Plaintiff claims to have worked nor to the areas on the facility on which Plaintiff claims to have worked nor to the contractor or contractors for whom Plaintiff claims to have worked during the periods of time he allegedly worked at any Defendant's facility. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 12:

State in detail what tests have been conducted with regard to the quantity, quality, or threshold limit values of asbestos dust or particles to which workers were exposed while using, working with or around, or installing asbestos-containing products in any of your facilities. Please state where and when these tests were conducted, by whom these tests were conducted, and the results of any such test.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of

standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad and burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Your". Defendant further objects to this interrogatory as overly broad, vague and ambiguous in that the terms "tests", "working" and "using" are not defined and so overly broad and Defendant does not know which "tests" is being referred and renders a response impossible without speculation as to the meaning of this phrase.

INTERROGATORY NO. 13:

Do you contend that Defendant, Defendant's representatives, insurance carriers and/or agents performed any measurements and/or studies prior to 1970 to determine the quantity of asbestos fibers in the air at Defendant's facility? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to each interrogatory to the extent that it is not limited to the premises on which Plaintiff allegedly was present and that the information sought is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. The interrogatory violates Tex. R. Civ. P. 197.1 by requiring Defendant to "marshal all of its available proof."

Defendant objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have been present nor to the specific areas within the premises upon which Plaintiff claims to have been present. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

INTERROGATORY NO. 14.

Please state each time any regulatory agency or other governing body has inspected the Defendant's premises to determine if health and safety regulations governing exposure to asbestos were being followed. Include in your response the date and results of each inspection, and state whether a written report was generated.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad, and unduly burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR ADMISSION NO. 13:

Admit that you did not erect containment barriers to prevent emission of asbestos dust at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague, multifarious, and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 16

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it fails to seek any specific document or category of document and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 14:

Admit that you did not utilize engineering controls such as isolation or enclosure at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague, multifarious, and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such

the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 17:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 15:

Admit that you did not utilize ventilation or exhaust systems to divert dust at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague, multifarious and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not

identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "you", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 18:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "you", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 16:

Admit that you did not utilize dust collection engineering controls to trap airborne asbestos dust at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this

request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "you", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 19:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it fails to seek any specific document or category of document and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "you", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 17:

Admit that you did not require your employees to handle, mix, apply, remove, cut or score asbestos-containing products in a wet state to prevent emission of airborne asbestos fibers at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad and unduly burdensome in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague, multifarious, and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 20:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 18:

Admit that you did not evacuate the premises prior to the utilization of asbestos-containing materials at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in

contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague, multifarious, and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 21:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 15:

Have you ever warned workers on Defendant's Premises of the hazards of asbestos and asbestos-containing products? If so, describe in detail the methods of such warnings, who you warned and when. Please include in your response a description of any written warnings relating to the hazards of asbestos in place at Defendant's Premises and state when the written warnings were installed, how many were installed, and whether they have been removed.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad, and unduly burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant".

INTERROGATORY NO. 16:

Have you ever had a policy requiring workers on Defendant's premises to use respirators? If so, please:

- a. state when this policy was implemented;
- b. describe this policy in detail;
- c. state to whom it applied (i.e. Defendant employees and contractor employees);
- d. and describe what types and brand names of respirators were required by you.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad, and unduly burdensome and calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

Defendant further objects to this interrogatory as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiff's definition of the terms "you" and "Defendant".

REQUEST FOR ADMISSION NO. 19:

Admit that you did not post warning, caution or hazard signs prior to the utilization of asbestos-containing materials by your employees at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague, multifarious, and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 22:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome.

Defendant further objects to this request as it fails to seek and specific document or category of documents and as such constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "utilization". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits. TRCP 192.4.

REQUEST FOR ADMISSION NO. 20:

Admit that you did not issue any warnings to others at the worksites where your employees were using asbestos-containing materials, including the worksites where Plaintiff was present.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague, multifarious, and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "using". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this Request as calling for a legal conclusion.

REQUEST FOR PRODUCTION NO. 23:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it fails to seek and specific document or category of documents and as such it constitutes a non-specific "fishing expedition". Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. Defendant further objects to this request as vague and ambiguous as respects to the term "using". In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 24:

Produce all documents reflecting payments made to contractors during the years at issue, including Plaintiffs employer, including but not limited to invoices, bills, check requests, requisitions, canceled checks, or other documents of a similar nature reflecting payment for services rendered by Plaintiffs employer.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad in that it is not limited to the facility at which Plaintiff claims to have worked nor to Plaintiff's employer. As such, this request is overly broad and overly burdensome and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

REQUEST FOR ADMISSION NO. 21:

Admit that the use of asbestos-containing materials on Defendant's Premises created a substantial risk of injury.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as overly broad in that it is not limited to any applicable time period nor in scope to the premises upon which Plaintiff claims to have worked nor to the specific areas within the premises upon which Plaintiff claims to have worked. Defendant further objects to this request as it is vague and ambiguous and calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it does not identify the work sites where Plaintiff alleges he worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 22:

Admit that during the years at issue, Defendant had the power to control Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms "power" and "control" are vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 25:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly,

no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “power” and “control” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 23:

Admit that, during the years at issue, Defendant had the power to manage the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “power” “use” “condition” and “manage” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 26:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in

contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms "power" "use" "condition" and "manage" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fish" expedition".

REQUEST FOR ADMISSION NO. 24:

Admit that, during the years at issue, Defendant had the power to direct the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms "power" "use" "condition" and "direct" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 27:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “power” “use” “condition” and “direct” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 25:

Admit that, during the years at issue, Defendant had the power to superintend the use or conditions of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms “power” “use” “condition” and “superintend” are vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 28:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “power” “use” “condition” and “superintend” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 26:

Admit that, during the years at issue, Defendant had the power to restrict the use or condition of Defendant’s Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms “power” “use” “condition” and “restrict” are vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 29:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms "power" and "restrict" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 27:

Admit that, during the years at issue, Defendant had the power to regulate the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms "power" "use" "condition" and "regulate" are vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 30:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “power” and “regulate” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 28:

Admit that, during the years at issue, Defendant had the power to govern the use or condition of Defendant’s Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms “power” “use” “condition” and “govern” are vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 31:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “power” “use” “condition” and “govern” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 29:

Admit that, during the years at issue, Defendant had the power to oversee the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms “power” “use” “condition” and “oversee” are vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 32:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms "power" "use" "condition" and "oversee" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 30:

Admit that, during the years at issue, Defendant had the power to administer the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms "power" "use" "condition" and "administer" are vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 33:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “power” “use” “condition” and “administer” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. Defendant further objects to this request as it calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 31:

Admit that during the years at issue, Defendant controlled Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the term “controlled” is vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 34:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the term "controlled" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 32:

Admit that, during the years at issue, Defendant managed the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms "managed" "use" and "condition" is vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 35:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “managed” and “condition” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 33:

Admit that, during the years at issue, Defendant directed the use or condition of Defendant’s Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the term “directed” “use” and “condition” is vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 36:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the term "directed" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, RCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 34:

Admit that, during the years at issue, Defendant superintended the use or conditions of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms "superintended" "use" and "condition" are vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 37:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the term "superintended" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 35:

Admit that, during the years at issue, Defendant restricted the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms "restricted" "use" and "condition" are vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 38:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the term “restricted” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 36:

Admit that, during the years at issue, Defendant regulated the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms “regulated” “use” and “condition” are vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 39:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the term “regulated” is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 37:

Admit that, during the years at issue, Defendant governed the use or condition of Defendant’s Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for admission to the extent that the terms “governed” “use” and “condition” are vague, ambiguous and overly broad, which renders this particular request unintelligible and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 40:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 38:

Admit that, during the years at issue, Defendant oversaw the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request for admission to the extent that the terms "oversaw" "use" and "condition" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. This request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 41:

If you deny the foregoing request, in whole or in part, produce all documents supporting your

denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms “oversaw” “use” and “condition” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs’ definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 39:

Admit that, during the years at issue, Defendant administered the use or condition of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request for admission to the extent that the terms “administered” “Use” and “condition” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “Defendant”, and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 42:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent that the terms used are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. The request calls for a legal conclusion. Further, Defendant objects to this request as it is overly broad, overly burdensome, vague and ambiguous in that the request does not specify the specific task or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR MISSION NO. 40:

Admit that Defendant retained some control over the manner in which Plaintiffs work was performed.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the term "control" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 43:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the term "control" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Further, the request fails to seek any specific document or category of documents.

INTERROGATORY NO. 17:

Do you contend that at no time during the years at issue, Defendant did not have the right to advise or, if necessary, control the activities of employees of contractors, working on Defendant's Premises, who were engaged in activities which could be potentially hazardous to either themselves or to the employees of Defendant? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as vague and ambiguous. Defendant further objects in that this interrogatory calls for information and material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as overly broad in that it is not limited in time nor scope to time periods when Plaintiff allegedly

was present on Defendant's premises, nor limited to the premises at which Plaintiff allegedly was present, nor the area(s) within any of Defendant's premises where Plaintiff allegedly was present.

Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Finally, the request violates Tex. R. Civ. P. 197.1's prohibition on mandating a party marshaling of its available proofs.

REQUEST FOR ADMISSION NO. 41:

Admit that Defendant retained some control over the manner in which Plaintiffs employer performed the work requested by the Defendant.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the term "control" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 44:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 42:

Admit that Plaintiff was not entirely free to do the work on Defendant's Premises in his own way.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the phrase "not entirely free" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 45:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in

contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the phrase "not entirely free" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Finally, the request fails to seek any specific document or category of documents and as such is a fishing expedition.

REQUEST FOR ADMISSION NO. 43:

Admit that Plaintiff's employer was not entirely free to do the work requested by Defendant on Defendant's Premises in its own way.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the phrase "not entirely free" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the

request does not specify the specific task, work site, or activity about which Plaintiff is inquiring.

REQUEST FOR PRODUCTION NO. 46:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request for admission to the extent that Plaintiff does not specify what work was performed, thereby making the phrase "plaintiff's work" vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the phrase "not entirely free" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Further, the request fails to seek any specific document or category of documents and as such constitutes a fishing expedition.

REQUEST FOR ADMISSION NO. 44:

Admit that asbestos-containing gaskets were installed at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually

impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 47:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 45:

Admit that asbestos-containing pipe covering was installed at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 48:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 46:

Admit that asbestos-containing boilers were installed at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 49:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 47:

Admit that asbestos-containing fireproofing was installed at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 50:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 48:

Admit that asbestos-containing joint compound was installed at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 51:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly

worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 49:

Admit that asbestos-containing insulation was installed at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 52:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant's premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant's premises where Plaintiff allegedly worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or

category of documents and as such constitutes a non-specific “fishing expedition”.

REQUEST FOR ADMISSION NO. 50:

Admit that such installation was done under your direction, supervision, and/or control.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as vague, ambiguous, and subject to multiple interpretations. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant’s premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked. Defendant further objects to this request for admission to the extent that the terms “such installation” and “direction, supervision and/or control” are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff’s definition of the term “your”, and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 53:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial, including but not limited to all documents identifying the entities or individuals who directed, supervised, and/or controlled such installation activities.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as vague, ambiguous, and subject to multiple interpretations. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked on Defendant’s premises, to the premises on which Plaintiff allegedly worked, nor the area(s) within any of Defendant’s premises where Plaintiff allegedly worked. Defendant further objects to this request for

admission to the extent that the terms "such installation" and "direction, supervision and/or control" are vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, the request fails to seek any specific document or category of documents and as such constitutes a fishing expedition.

INTERROGATORY NO. 18:

Please state the first year you learned that persons could suffer physical injury through the inhalation of asbestos fibers and how Defendant became aware of the existence of asbestos hazards.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant". Defendant further objects to this interrogatory as vague and ambiguous in that the "physical injury" Plaintiff is inquiring about is not defined and is subject to multiple interpretations.

REQUEST FOR PRODUCTION NO. 54:

Produce all documents that indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request to the extent it is overly broad and burdensome and which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. This request constitutes an impermissible fishing expedition in violation of Texas law. Defendant further objects that documents responsive to this request are already in Plaintiff's counsel's possession or are in the public domain to which Plaintiff has equal access.

REQUEST FOR ADMISSION NO. 51:

Admit that you supervised the health and safety procedures implemented by contractors working on Defendant's Premises.

RESPONSE Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.;

Defendant further objects to this request for admission as vague, ambiguous, and overly broad, which renders this particular request unintelligible. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Defendant further objects to this request as it is overly broad in that it is not limited in time nor scope either to time periods when Plaintiff allegedly worked, nor the areas within any of Defendant's premises where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 52:

Admit that you supervised the health and safety practices implemented by Plaintiffs employer.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request for admission as vague, ambiguous, and overly broad, which renders this particular request unintelligible. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Further, Defendant objects to this request to the extent that Plaintiff does not specify which contractor was his employer or what work was performed by that contractor, thereby making the phrase "health and safety practices" is vague, ambiguous and overly broad, which renders this particular request unintelligible, which renders a response impossible without speculation as to the meaning of the phrase. Defendant further objects to this request for admission to the extent that the term "supervised" is vague, ambiguous, and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term.

Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site or activity about which Plaintiff is inquiring.

REQUEST FOR ADMISSION NO. 53:

Admit that you did not protect the Plaintiff from exposure to asbestos on Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Further, Defendant objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, or activity about which Plaintiff is inquiring. Defendant further objects to this request for admission to the extent that the term "protect" is vague, ambiguous and overly broad, which renders this particular request unintelligible, and renders a response impossible without speculation as to the meaning of the term. In addition, Defendant objects as this request assumes Plaintiff was exposed to asbestos on Defendant's premises, which is denied. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "Defendants," and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 55:

Produce all documents supporting the legal theories and factual bases of your defenses set forth in your response to Plaintiffs Request for Disclosure under Texas Rules of Civil Procedure 194.2, subparagraph (c).

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, unduly burdensome and harassing. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition" which is impermissible under Texas law.

INTERROGATORY NO. 19:

Do you contend that Plaintiff's exposure to asbestos at Defendant's Premises was not a substantial contributing factor in causing his asbestos-related injury? If the answer is anything other than "no", identify each and every fact which supports this contention.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory insofar as it assumes Plaintiff worked on Defendant's premises, that he was exposed to asbestos, and that he suffers from an asbestos related injury, all of which is subject to question. Defendant further objects to this interrogatory as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. Defendant objects to the phrase "substantial contributing factor" as vague and ambiguous and renders a response impossible without speculation as to the meaning of the term.

Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant". Further, the request requires Defendant to marshal all of its available proofs in violation of Tex. R. Civ. P. 197.1.

REQUEST FOR ADMISSION NO. 54:

Admit that Plaintiffs exposure to asbestos at Defendant's Premises was a substantial contributing factor in causing his asbestos-related injury.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises and that he was exposed to asbestos, which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 56:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises and that he was exposed to asbestos, which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 55:

Admit that Defendant did not exercise reasonable care to reduce or eliminate the risk of asbestos-related injury.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff was exposed to asbestos on Defendant's premises which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous and because the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. It is not limited to any applicable time period nor in scope to the premises upon which plaintiff claims to have worked nor to the specific areas where plaintiff claims to have worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 56:

Admit that Defendant did not reduce or eliminate the unreasonable risk of harm posed by the use of asbestos-containing products at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff was exposed to asbestos on Defendant's premises which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous and because the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. It is not limited to any applicable time period nor in scope to the premises upon which plaintiff claims to have worked nor to the specific areas where plaintiff claims to have worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 57:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request insofar as it assumes Plaintiff was exposed to asbestos on Defendant's premises which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous and because the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. It is not limited to any applicable time period nor in scope to the premises upon which plaintiff claims to have worked nor to the specific areas where plaintiff claims to have worked. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR ADMISSION NO. 57:

Admit that Defendant's failure to reduce or eliminate the risk of harm to Plaintiff was a substantial factor in bringing about Plaintiffs asbestos-related injury.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises, that he was exposed to asbestos, that plaintiff has an asbestos related injury, and that Defendant failed to reduce or eliminate the risk of harm, all of which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 58:

If you deny the foregoing request, in whole or in part, produce all documents supporting your denial.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and overly burdensome. Defendant further objects to this request insofar as it assumes Plaintiff worked on Defendant's premises, that he was exposed to asbestos, that plaintiff has an asbestos related injury, and that Defendant failed to reduce or eliminate the risk of harm, all of which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR PRODUCTION NO. 59:

If you contend that while at the premises on which you or your employees were working with asbestos-containing materials, Plaintiff was not exposed to sufficient quantities of asbestos dust to produce the disease(s) complained of, produce all documents supporting your contention.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request insofar as it assumes Plaintiff worked on Defendant's premises which is subject to question. Defendant further objects to this request as it is overly broad, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring; Plaintiff has not identified any specific in which he was worked on Defendant's premises. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiff's definition of the terms "you" and "your", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR PRODUCTION NO. 60:

If you contend that Plaintiff is suffering from an asbestos disease as a result of exposures other than asbestos dust at the premises on which you or your employees were working with asbestos-containing materials, produce all documents supporting your contention.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects that this request fails to seek any specific document or category of documents

REQUEST FOR PRODUCTION NO. 61:

If you contend that Plaintiff does not suffer from the asbestos-related disease(s) complained of, produce all documents supporting your contention.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly,

no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request fails to seek any specific document or category of documents.

REQUEST FOR PRODUCTION NO. 62:

if you contend that Plaintiff was not exposed to asbestos dust at the premises on which you or your employees were working with asbestos-containing materials, produce all documents supporting your contention.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, over burdensome, vague and ambiguous in that the request does not specify the specific task, work site, time period, or activity about which Plaintiff is inquiring. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the terms "you" and "your", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR PRODUCTION NO. 63:

Produce all documents used, referred to or relied upon in answering any Interrogatories.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, unduly burdensome and fails to seek any specific document or category of documents and as such constitutes a non-specific "fishing expedition".

REQUEST FOR PRODUCTION NO. 64:

Produce any and all documents and other tangible things which refer to the document retention (and/or destruction) policy of Defendant, including the following:

- a. Any document retention and/or destruction policies for Defendant that pertain to documents and records, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.
- b. Any record retention and/or destruction, dumping, or purging policies for Defendant that pertain to documents and records created, maintained or stored by electronic and/or magnetic means, including but not limited to records that have been microfilmed, microfiched, imaged, scanned, or stored on tapes, disks, diskettes, CD-rom, databases, etc. or on or within any computer hardware, backup system, download system, file dumping or other system of information management, whether on-site or off-site, including but not limited to supplements, addenda, memoranda, operating bulletins, revisions, or any other superseding instructions that referred to the stopping, suspending or resuming of such retention or destruction policies.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and unduly burdensome. It is not limited by time or location and constitutes a "fishing expedition". It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR PRODUCTION NO. 65:

Produce any and all documentation, including but not limited to lists, inventories, indices, databases or print-outs thereof, archives, storage inventories, logs, or other search aids that refer or relate to the existence, extent, type, organization, filing system, method of access or retrieval, and/or location of Defendant's documents (maintained or stored on-site or off-site) described in the preceding paragraphs.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad and unduly burdensome.

It is not limited by time or location and constitutes a "fishing expedition". It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

INTERROGATORY NO. 20:

Does Defendant have in its possession any books, pamphlets, memoranda, or written materials of any kind or character that would indicate that asbestos fibers, when inhaled, can be hazardous to the health of human beings? If so, identify the individuals who received, maintained, reviewed, or disseminated the information contained in such written materials.

ANSWER: Defendant objects to this Interrogatory as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this interrogatory as it is overly broad, unduly burdensome, vague and ambiguous. Further, Defendant objects to this request as the term "hazardous" is vague, ambiguous and subject to the multiple interpretations in the context of this suit. It is not limited by time or location and constitutes a "fishing expedition". It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this interrogatory as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 66:

Produce the written materials referred to in the interrogatory above.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, burdensome, vague and ambiguous. Further, Defendant objects to this request as the term "hazardous" is vague, ambiguous and subject to the multiple interpretations in the context of this suit. It is not limited by time or location and constitutes a "fishing expedition". It calls for information or material which is neither relevant

nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR ADMISSION NO. 58:

Admit that Plaintiff filed suit against Defendant within two (2) years of the date of discovering his asbestos-related condition or the existence of any asbestos-related causes of action.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

REQUEST FOR ADMISSION NO. 59:

Admit that Defendant is liable for Plaintiff's asbestos related illness.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it calls for a legal conclusion, is argumentative, and assumes Plaintiff has or had an asbestos -related illness. Defendant further objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 60:

Admit that asbestos is still in use and/or in place on Defendant's Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

_____ Defendant further objects to this request as it is overly broad, burdensome,

vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 61:

Admit that Defendant no longer uses asbestos on its Premises.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4.

REQUEST FOR ADMISSION NO. 62:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1972.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as

such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 63:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1973.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 64:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1974.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant

objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 65:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1975.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 66:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1976.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged

exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 67:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1977.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 68:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1978.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 69:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1979.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 70:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1980.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 71:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1981.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 72:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1982.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 73:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1983.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 74:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1984.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 75:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January

1, 1985.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 76:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1986.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery out weighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 77:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1987.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR ADMISSION NO. 78:

Admit that asbestos-containing materials were in-place on Defendant's Premises after January 1, 1988.

RESPONSE: Defendant objects to this Request for Admission as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant further objects to this request as it is overly broad, burdensome, vague and ambiguous in that the request does not specify the specific work site location about which Plaintiff is inquiring, TRCP 192.3(a). Accordingly, this request calls for information which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as overly broad, unduly burdensome, harassing and virtually impossible to answer given Plaintiffs' definition of the term "Defendant", and as such the burden of discovery outweighs its benefits, TRCP 192.4. Defendant objects that the request is not limited in time to the years of plaintiff's alleged exposures or the locations where Plaintiff allegedly worked.

REQUEST FOR PRODUCTION NO. 67:

Produce all documents that reflect, indicate or in any way relate to communications between you and any manufacturer of asbestos-containing products concerning or related to the asbestos contained in such products.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production to the extent that it is overly broad, vague, irrelevant, unduly burdensome, and not limited to the facilities where Plaintiff allegedly was present. TRCP 192.3(a). Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "you".

REQUEST FOR PRODUCTION NO. 68:

Produce all documents disseminated or published by any trade association that contain information relating to the hazards of asbestos and all documents which refer to such documents.

RESPONSE:

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Defendant further objects as this request constitutes an impermissible "fishing expedition". Further, the information sought is in the public domain and equally available to either party.

REQUEST FOR PRODUCTION NO. 68:

Produce all documents disseminated or published by any trade association that contain information relating to the hazards of asbestos and all documents which refer to such documents.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to producing information which is in the public domain and equally available to either party.

REQUEST FOR PRODUCTION NO. 69:

Produce all documents, that relate to any inspections by any regulatory agency for the purpose of ascertaining whether health or safety regulations were being followed or adhered to at any of your plants. This request specifically seeks any and all such documentation referring to dust hazards, including but not limited to asbestos in your plants.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome, and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to this request to the extent that it is not limited to the premises where Plaintiff allegedly was present. TRCP 192.3(a). Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based, and it is not limited to the facilities where Plaintiff was present. Defendant also objects to this request as overly broad in that it is not limited to health and safety regulations dealing with asbestos. In addition, Defendant objects to this request to the extent that it seeks information which is a matter of public record or otherwise available to Plaintiff without imposing a burden on Defendant. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "your".

REQUEST FOR PRODUCTION NO. 70:

Produce all safety meeting minutes or other documents, that refer to the dangers of asbestos safety measures to be used in the vicinity of asbestos at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for

production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly was present. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiff's definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 71:

Produce all contracts, or other documents that relate to abatement of asbestos at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly was present. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 72:

Produce all contracts, or other documents that relate to the installation of asbestos products at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks

information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly was present. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 73:

Produce all documents that in any way reflect a removal plan or organized written criteria or schedule for the removal of asbestos at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production to the extent it is overly broad, vague, unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant objects to this request for production because it seeks information for time periods other than those upon which Plaintiff's claims against Defendant are based. Further, Defendant objects to the extent that it is not limited to the premises where Plaintiff allegedly was present. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 74:

Produce all documents related to the medical condition of Plaintiff at any time during his work at Defendant's Premises. This request specifically includes any and all x-rays, x-ray reports, medical notes and/or medical records of any kind, annual physical forms, and employment records relating to Plaintiffs health.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

REQUEST FOR PRODUCTION NO. 75:

Produce Plaintiffs entire personnel file from Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

REQUEST FOR PRODUCTION NO. 76:

Produce all documents that reflect the layout of Defendant's Premises, including the location and dimensions of all buildings and the location and placement of asbestos-containing products.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as not limited in time nor scope to periods or locations of Plaintiff's alleged work on the premises. Further, Defendant objects to this request to the extent that it seeks confidential and/or proprietary information and/or trade secrets. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 77:

Produce all documents containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time

periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked.

REQUEST FOR PRODUCTION NO. 78:

Produce all photographs of asbestos products in place or asbestos-containing products being fabricated or utilized at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 79:

Produce all photographs of warning signs or warning statements which are or have been in place at Defendant's Premises in the vicinity of asbestos-containing products.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 80:

Produce all documents relating to any individuals claimed injury as a result of exposure to asbestos at Defendant's Premises, including, but not limited to, workers compensation claims.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 81:

Produce all documents, including but not limited to, corporate minutes, which mention the hazards or potential hazards of asbestos.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Further, Defendant objects to the extent that it is not limited to the facilities Plaintiff allegedly was present nor to the time periods when Plaintiff allegedly worked there.

REQUEST FOR PRODUCTION NO. 82:

Produce all documents, including invoices, shipping receipts, bills of lading and purchase orders, related to the purchase of asbestos-containing products for use at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly,

no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 83:

Produce all documents relating to inspections by labor inspectors, insurance company inspectors or anyone from your company or hired by your company, that included the taking or measuring of "dust counts".

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "your".

REQUEST FOR PRODUCTION NO. 84:

In the event that Defendant performed or had performed any dust level counts or measurements of any of its plants or industrial facilities with respect to asbestos dust, produce any documents, memoranda, or other writings that in any way reflect the results of such studies or counts and actions taken as a result of such counts or studies.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly,

no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 85:

Produce all reports, writings (whether published or unpublished) and/or other documentation written, created and/or edited by any of your experts that in any way pertain to asbestos and the hazards and/or diseases that may result therefrom.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it exceeds and attempts to circumvent the limits on expert discovery in Tex. R. Civ. P. 195.

REQUEST FOR PRODUCTION NO. 86:

Produce all documents which will be used at the time of trial, including all potential exhibits and those documents which may be used to cross-examine other witnesses or in rebuttal, and which you contend are relevant to any of Defendant's enumerated defenses in Defendant's most recently filed Answer.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production to the extent that it is overly broad, unduly burdensome and seeks information, the subject of which is protected from disclosure by the attorney work product privilege. The request fails to seek any specific document or category of document.

REQUEST FOR PRODUCTION NO. 87:

Produce documents between Defendant and any of its worker's compensation carriers regarding the hazards of asbestos and asbestos-containing products.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 88:

Produce a copy of all regulations, orders, rules and/or policies which have been used relating to the safety of the Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 89:

Produce all documents which contain complaints by employees of the Defendant's Premises regarding safety conditions and work place conditions at the Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 90:

Produce all documents which contain complaints by Union representatives of Defendant's Premises regarding safety conditions and work place conditions at the Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 91:

Produce all documents, organizational charts or rosters which identify the members of the

management at the Defendant's Premises and their areas of responsibility during the time period of Plaintiffs work at Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request as it is not limited in scope to when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 92:

Produce all documents which evidence Defendant's, net worth, including but not limited to all "10-K" forms filed for the last five (5) years.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 93:

Produce all documents which evidence Defendant's purchase, acquisition, sale, or transfer of ownership of Defendant's Premises.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly

burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 94:

Produce all indemnity agreements, assignments of liability, subrogation agreements and other similar documents relating to Defendant's Premises and liabilities arising from said ownership.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 95.

Produce all contracts pertaining to work done by contractors at Defendant's facility.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the

areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 96.

Please produce any printed material produced or published by Defendant containing any warnings concerning the possibility of injury resulting from the use of asbestos-containing products or exposure to asbestos?

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the term "Defendant".

REQUEST FOR PRODUCTION NO. 97.

Produce all documents and other tangible things relating to the Plaintiff.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph II (14). Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request for production as overly broad and unduly burdensome and calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. Defendant further objects to this request s it is not limited in scope to the time periods when Plaintiff allegedly worked on Defendant's premises nor to the areas within Defendant's premises where Plaintiff allegedly worked. Defendant objects to this request as overly broad, unduly burdensome, irrelevant, harassing, and virtually impossible to answer given Plaintiffs' definition of the

term "Defendant". Defendant further objects to this request as it fails to seek any specific document or category of documents and as such constitutes an impermissible "fishing expedition".

REQUEST FOR PRODUCTION NO. 98:

If you contend that you did not own or control the facility(ies) during any time period that Plaintiff worked (or believes he worked) at the facility(ies), please produce all documentation that supports your contention, including but not limited to documentation pertaining to the purchase, sale, acquisition, merger, or divestment of corporations, subsidiaries, divisions, or other corporate entities or assets that included the purchase, sale, acquisition, merger, or divestment of the facility(ies); such documentation to include, by way of example and not limitation, purchase or sale agreements, minutes, resolutions, annual reports, 10K reports or other state or federal agency filings, or deposition, trial testimony or affidavits of your corporate representatives who are the most knowledgeable individuals with respect to such matters.

RESPONSE: Defendant objects to this Request for Production as propounded in contravention of standing order number 1. See paragraph 14. Accordingly, no further response is required. Any response hereafter is made solely to preserve other objections but is not intended to waive this objection.

Defendant objects to this request as it is overly broad, unduly burdensome, vague and ambiguous. It is not limited by time or location and constitutes a "fishing expedition". It calls for information or material which is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Defendant objects to this request as harassing and virtually impossible to answer given Plaintiffs' definition of the term "you", and as such the burden of discovery outweighs its benefits, TRCP 192.4.